

### **REMARKS/ARGUMENTS**

This Amendment is in response to the Office Action mailed March 5, 2009. Claims 20-40 were pending in the present application. This Amendment amends claims 20, 27, and 34, leaving pending in the application claims 20-40. Applicants submit that no new matter has been introduced by virtue of these amendments. Reconsideration of the rejected claims is respectfully requested.

#### **Examiner Interview**

Applicants would like to thank Examiner Pham for the telephonic interview regarding this application conducted with Applicants' representative, Andrew Lee, on May 28, 2009. Independent claim 20 was discussed in light of Gervais et al. (U.S. Patent No. 6,381,579, hereinafter "Gervais"). In particular, distinctions between the claim and the Gervais reference, as well as possible clarifying amendments, were discussed.

Although no agreement was reached at the interview, the Examiner indicated that he would further consider the discussed arguments and amendments upon receiving a formal response. The foregoing amendments and following remarks reflect the substance of the discussion.

#### **35 U.S.C. §101 Rejection of Claims 20-33**

Claims 20-33 are rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter.

##### **Claims 20-26**

With respect to claims 20-26, the Office Action asserts:

Claims 20-26 direct to system comprising software per se. Software per se is not one of the four categories of invention and therefore claims 20-26 are not statutory (Software per se is not a series of steps or acts and thus is not a process. Software per se is not a physical article or object and as such is not a machine or manufacture. Software per se is not a combination of substances and therefore is not a composition of matter).

(Office Action: pgs. 5-6).

Applicants respectfully disagree.

Contrary to the Office Action, independent claim 20 is not directed to “a system comprising software per se.” Rather, claim 20 recites a system comprising physical components such as a storage component and a processing component. Accordingly, Applicants submit that claim 20 recites statutory subject matter, and respectfully request that the section 101 rejection of claim 20 (and the claims that depend therefrom) be withdrawn.

Claims 27-33

With respect to claims 27-33, the Office Action asserts:

A patentable process must (1) be tied to a particular apparatus or machine or (2) transform underlying subject matter (such as an article or materials) to a different state or thing. See *In re Bilski*, 545 F.3d 943,88 USPQ2d 1385 (Fed. Cir. 2008). The method of claims 27-33 is non-statutory in view of *In re Bilski*, e.g., the recited method is not tied to a particular machine or apparatus, or it transforms a particular article into a different state or thing.

(Office Action: pg. 5).

Although Applicants disagree with the rejection, solely in order to expedite prosecution Applicants have amended independent claim 27 such that the steps recited therein are performed by a computer system. These amendments clarify that the method of claim 27 is tied to a particular machine. Accordingly, Applicants respectfully request that the Section 101 rejection of claim 27 (and the claims that depend therefrom) be withdrawn.

**35 U.S.C. §102/103 Rejection of Claims 20-40**

Claims 20-40 are rejected under 35 U.S.C. §102(e) as being anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over Gervais. Without conceding the merit of the rejection, Applicants have amended the claims to clarify the distinctions between the present invention and the cited art.

Applicants’ independent claim 20 (as amended) is directed to a system for sharing data between a product manufacturer, a first supplier, and a second supplier in a product supply chain. The first supplier is configured to supply a first component for a product to the product manufacturer, and the second supplier is configured to supply a second component for the product to the product manufacturer.

In one set of embodiments, a user affiliated with the first supplier can submit a request to access a data object, where the data object is maintained by the product manufacturer. A set of privileges associated with the user (in relation to the data object) can then be determined, and the privileges can be used to generate a redacted version of the data object for view by the user.

Significantly, the set of privileges associated with the user affiliated with the first supplier are defined by the product manufacturer based on a business agreement between the product manufacturer and the second supplier, where the business agreement indicates that the first supplier should not have access to data that is sensitive to the second supplier.

By way of example, the product manufacturer of claim 20 may be a computer manufacturer A, and the data object may be a specification data sheet regarding a computer manufactured by computer manufacturer A. Further, the first supplier of claim 20 may be a keyboard manufacturer B contracted to supply keyboards to computer manufacturer A, and the second supplier of claim 20 may be a competing keyboard manufacturer C that is also contracted to supply keyboards to computer manufacturer A. In this scenario, keyboard manufacturer C may not want its trade secrets (or other sensitive business information) to be shared with keyboard manufacturer B. Accordingly, keyboard manufacturer C can enter into a business agreement with computer manufacturer A to keep all specifications pertaining to keyboard manufacturer C's keyboard product confidential to C (and thus, secret from keyboard manufacturer B).

Thus, computer manufacturer A may grant keyboard manufacturer B read privileges to information pertaining to general keyboard specifications in the specification data sheet, but prevent keyboard manufacturer B from viewing detailed data about keyboard manufacturer C's keyboard product.

In accordance with the above, Applicants' independent claim 20, as amended, recites:

A system for sharing data among a plurality of business entities involved in a product supply chain, the system comprising:

a storage component configured to store a plurality of data objects pertaining to a product, wherein each data object includes a plurality of predefined data groups, and wherein the plurality of data objects are maintained by a manufacturer of the product; and

a processing component in communication with the storage component, the processing component being configured to:

receive, from a user affiliated with a first supplier, a request to access a data object in the plurality of data objects, wherein the first supplier supplies to the manufacturer a first component for the product;

extract from the request a user identifier that uniquely identifies the user;

retrieve a set of privileges associated with the data object and the user identifier, the set of privileges including read privileges identifying one or more predefined data groups of the data object that the user is allowed to view;

determine, based on the read privileges, one or more predefined data groups of the data object that the user is not allowed to view;

generate a redacted version of the data object, wherein the redacted version of the data object does not include the one or more predefined data groups of the data object that the user is not allowed to view; and

transmit the redacted version of the data object to the user,  
wherein the set of privileges are defined by the manufacturer based on a business agreement between the manufacturer and a second supplier distinct from the first supplier, wherein the second supplier supplies to the manufacturer a second component for the product, and wherein the business agreement indicates that the first supplier should not have access to data that is sensitive to the second supplier.

(Applicants' independent claim 20, as amended, emphasis added).

Support for the amendments to claim 20 can be found in the Specification at, for example, page 5, lines 11-13, page 11, lines 15-23, page 20, lines 19 to page 23, line 14, and Figures 5 and 6.

Applicants respectfully submit that the features of amended claim 20 are not taught or suggested by Gervais. For example, Gervais fails to teach or suggest the recited product manufacturer, first supplier, and second supplier of claim 20, where “the first supplier supplies to the manufacturer a first component for the product,” where “the second supplier supplies to the manufacturer a second component for the product,” and where “the set of

privileges are defined by the manufacturer based on a business agreement between the manufacturer and [the] second supplier,... wherein the business agreement indicates that the first supplier should not have access to data that is sensitive to the second supplier” as recited in claim 20. (Emphasis added).

As discussed at the Examiner Interview, the sections of Gervais cited in the Office Action merely indicate that a “resource manager or system administrator” of a business portal system can provide a number of user account slots to a “supplier.” The supplier can then assign user accounts based on these slots to one or more users, such as U1 and U2 depicted in FIG. 10 of Gervais. (See Gervais: col. 5, lines 1-9). Gervais does not specifically describe a product manufacturer and two distinct suppliers, each supplying a distinct component for a product to the manufacturer as recited in claim 20.

Further, Gervais does not teach or suggest that the product manufacturer defines privileges for a data object accessed by the first supplier based on a business agreement between the manufacturer and the second supplier, where the agreement indicates that the first supplier should not have access to data that is sensitive to the second supplier as recited in claim 20. No disclosure pertaining to this particular feature could be found in Gervais.

At the Examiner Interview, the Examiner indicated that he construes the “system administrator” of Gervais as corresponding to the previously recited “second business entity” of claim 20, the “supplier” of Gervais as corresponding to the previously recited “first business entity” of claim 20, and user U2 of Gervais as corresponding to the previously recited “third business entity” of claim 20. However, this construction clearly does not work in view of the amendments to claim 20. For example, user U2 of Gervais cannot be construed as corresponding to either the first supplier or the second supplier of amended claim 20.

Thus, Gervais fails to teach or suggest the recited product manufacturer, first supplier, and second supplier of claim 20, where “the first supplier supplies to the manufacturer a first component for the product,” where “the second supplier supplies to the manufacturer a second component for the product,” and where “the set of privileges are defined by the manufacturer based on a business agreement between the manufacturer and [the] second

supplier... wherein the business agreement indicates that the first supplier should not have access to data that is sensitive to the second supplier" as recited in claim 20. (Emphasis added).

For at least the foregoing reasons, Applicants respectfully submit that amended claim 20 is not anticipated or rendered obvious by Gervais, and respectfully request that the rejection of claim 20 be withdrawn.

Independent claims 27 and 34 have been amended to recite features that are substantially similar to independent claim 20, and are thus allowable for at least a similar rationale as discussed for claim 20, and others.

Dependent claims 21-26, 28-33, and 35-40 depend (either directly or indirectly) from independent claims 20, 27, and 34 respectively, and are thus allowable for at least a similar rationale as discussed for claims 20, 27, and 34, and others.

#### **Amendments to the Claims**

Unless otherwise specified, amendments to the claims are made for purposes of clarity, and are not intended to alter the scope of the claims or limit any equivalents thereof. The amendments are supported by the Specification as filed and do not add new matter.

#### **CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

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Amdt. dated June 5, 2009  
Reply to Office Action of March 5, 2009

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

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